



PATENT
Docket No. 495142000100

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: January 25, 2002

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Chase Trombella

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mark W. SLIPP and Warren ZAJAC

Serial No.: 09/881,513

Filing Date: June 12, 2001

For: METHOD AND APPARATUS FOR
NETWORK CONTENT INSERTION
AND PHASE INSERTION

Examiner: To Be Assigned

Group Art Unit: 2152

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

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FEB 07 2002
Technology Center 2100

In response to the Notice of Incomplete Reply dated October 23, 2001, applicants respectfully submit a revised Patent Application Specification with the claims commencing on a separate sheet under 37 CFR 1.75(h).

Please note a Notice to File Missing Parts of Nonprovisional Application dated August 13, 2001 was received indicating that the Missing Parts of Application consisted of an executed oath or declaration. However, the Notice did not state the inconsistency with the claims in the specification. Applicants timely submitted a Response to Missing Parts to the U.S. Patent and Trademark Office on October 21, 2001 via express mail which included the executed declaration

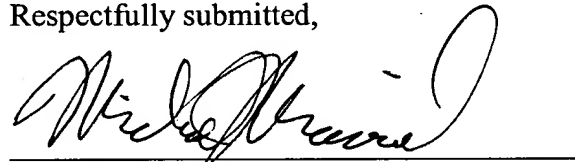
thus fulfilling the requirements as stated in the Notice. On October 31, 2001, Victoria Wilson of Morrison & Foerster spoke with Monica, a PTO representative who indicated that, under the circumstances, no extension fee was due.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 495142000100.

Dated: January 25, 2002

Respectfully submitted,

By:



Michael Mauriel
Registration No. 44,226

Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-6716
Facsimile: (415) 268-7522



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Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/881,513
Filing Date	June 12, 2001
First Named Inventor	Mark W. SLIPP
Group Art Unit	2152
Examiner Name	To Be Assigned
Attorney Docket No.	495142000100

Total Number Of Pages In This Submission

51

ENCLOSURES (check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Revised Patent Application Specification including Claims and Abstract (46pgs.), Courtesy copy of Notice to File Missing Parts of Nonprovisional Application (1pg.), Courtesy Copy of Notice of Incomplete Reply (1pg.) and Postcard. |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input checked="" type="checkbox"/> Response to Missing Parts/
Incomplete Application - 2pgs. | Remarks | |
| <input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | | |

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Michael J. Mauriel, Reg. No. 44,226 Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482
Signature	
Date	January 25, 2002

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Chase Trombella

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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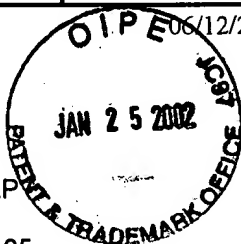


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/881,513	06/12/2001	Mark W. Slipp	495142000100

Michael J. Mauriel
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105



CONFIRMATION NO. 7749

FORMALITIES LETTER



OC000000006415313

Date Mailed: 08/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Pharis

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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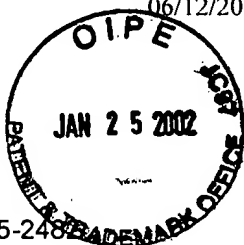


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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/881,513	06/12/2001	Mark W. Slipp	495142000100

Michael J. Mauriel
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2488



CONFIRMATION NO. 7749

FORMALITIES LETTER



OC000000006954258

Date Mailed: 10/23/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 10/12/2001 to the Notice to File Missing Parts (Notice) mailed 08/13/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).

A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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RS TO WTL. of INC. REPLY - L)

11/13/01 - 135 EXI

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